IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11214 of 1995

Between:

Divakaruni Krishna Murthy S/o.Late Purushotham
Properites R/o.Vijayawada

..... PETITIONER

AND

1 Vijayawada Municipal Corporation rep.by its Commissioner
Vijayawada -1
2 Mandal Revenue Officer Urban, Vijayawada
3 Garimella Ramaiah
4 V.Kamala W/o.Venkateswara Rao
5 B.Laxmi Naidu
6 B.Rajamma W/o.Rama Murthy
Railway Line Cement Road Bhanunagar
Satyanarayanapuram Vijayawada - 520 011

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus directing the 1st and 2nd respondents to take action against the respondents 3 to 6 from making any pucca constructions on the public road abutting the site besides directing the respondents to remove the unauthorised encroachments made by the respondents 3 to 6 on the public road abutting the petitioner's property bearing Sy.No.11/1 ward No.26 Madhuranagar Vijayawada Municipal Corporation consequently declaring the inaction of the respondents is violative of Art.14 and 300A of the Constitution of India.

Counsel for the Petitioner:MR.V.S.R.ANJANEYULU

Counsel for the Respondent No.1 : MR.T.S.VENKATA RAMANA,

SC for Vijayawada Municipal

Corporation

Counsel for the Resondent No.2 : G.P. for REVENUE
Counsel for Respondent Nos.3 to 6 : None appeared.

The Court made the following :

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O R D E R :

It is represented by the learned counsel for the respondent-municipality that already action has been taken by the respondents for removal of the encroachments made by the un-official respondents and as of now, there are no encroachments on the property in question.

In the circumstances, nothing survives for adjudication in the Writ Petition and the same is accordingly dismissed as having become infructuous.

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06-08-2004

prv

.....ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner, Vijayawada Municipal Corporation.
Vijayawada -1
2 The Mandal Revenue Officer, Urban, Vijayawada
3 2CCs to G.P. for Revenue, High Court of A.P., Hyderabad (O.U.T.).

4 2CD copies

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THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 12582 of 1995

6th day of August, 2004